

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARIA DIMEGLIO, on behalf of herself and all
others similarly situated,

Plaintiffs,

-against-

CANDLE DELIRIUM, INC.,

Defendant.

23-CV-4088 (JGLC)

ORDER

JESSICA G. L. CLARKE, United States District Judge:

On May 17, 2023, Plaintiff Maria DiMeglio filed the Complaint with the Court. ECF No. 1. Defendant Candle Delirium, Inc. was served with the summons and Complaint on May 23, 2023. ECF No. 6. The answer was due on June 13, 2023. *Id.* Defendant did not answer or otherwise respond to the Complaint by June 13, 2023. On August 7, 2023, the Clerk of Court issued a Certificate of Default. ECF No. 9. On August 11, 2023, Plaintiff submitted a letter requesting an extension of time for Defendant to respond to the Complaint. ECF No. 10. The Court denied the request, stating that the Court would entertain such a request after Defendant appears in the case. ECF No. 11.

In light of the fact that Defendant has not answered or otherwise made an appearance in this action, IT IS HEREBY ORDERED that Plaintiff shall file a motion for default judgment in accordance with the Court's Individual Rules and Local Rule 55 no later than **October 12, 2023**. Failure to timely file a motion for default judgment will result in dismissal for failure to prosecute.

Dated: September 12, 2023
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge